

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Stephen L. Hutcherson and Josephine M. Glover  
Serial No.: Not yet assigned  
Confirmation No.: Not yet assigned  
Filed: Herewith  
For: IMMUNE STIMULATION BY PHOSPHOROTHIOATE  
OLIGONUCLEOTIDE ANALOGS

Examiner: Not yet assigned  
Art Unit: 1635

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**MAIL STOP PATENT APPLICATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement,

**Compliance with 37 C.F.R. §1.97**

This Information Disclosure Statement has been filed after the filing of a Request for Continued Examination and before substantive first action.

No fee or certification is required.

**Information Cited**

The applicant would like to bring to the Examiner's attention the following co-pending application that may contain subject matter related to this application. Copies were enclosed in the parent application:

<u>Serial No.</u>	<u>Filing Date</u>	<u>Inventor(s)</u>
08/386,063	Feb. 7, 1995	Krieg et al.
08/738,652	Oct. 30, 1996	Krieg et al.
09/337,619	Jun. 21, 1999	Krieg et al.
09/669,187	Sept. 9, 2000	Krieg et al.
09/630,319	Jul. 31, 2000	Krieg et al.
09/629,477	Jul. 31, 2000	Krieg et al.
09/768,012	Jan. 22, 2001	McCluskie et. al.
09/355,254	Feb. 22, 2000	Wagner et al.

<u>Serial No.</u>	<u>Filing Date</u>	<u>Inventor(s)</u>
08/467,930	Jun. 6, 1995	Hutcherson et. al.
08/712,135	Sept. 11, 1996	Hutcherson et. al.
09/241,653	Feb. 2, 1999	Wagner et. al.
09/316,199	May 21, 1999	McCluskie et. al.
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REMARKS

It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,

*Hutcherson and Glover, Applicants*

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Attorney's Docket No.: C01037.70049.US

Date: August 18, 2003

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FORM PTO-1449/A and B (Modified)			APPLICATION NO.: Not yet assigned	ATTY.'S DOCKET NO.: C01037.70049.US
INFORMATION DISCLOSURE STATEMENT BY APPLICANT			FILING DATE: Herewith	CONFIRMATION NO.: Not yet assigned
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*A3	4,956,296			Fahnestock	11-26-1996
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		Office/ Country	Number	Kind Code			
*B1	EP	EP 0 302 758				03-00-1994	
*B2	EP	EP 0 468 520				01-00-1992	
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Sheet	2	of	9	GROUP ART UNIT: 1635	EXAMINER: Not yet assigned

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*B25	WO	01/12223	A2	02-22-2001	

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Examiner's Initials†	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
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\*A copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. 09/009,634 filed 01/20/98 and now pending which claims priority to 08/712,135, filed September 11, 1996, now U.S. Patent No. 5,723,335, issued March 3, 1998, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).